

IN RESPONSE TO THE OFFICE ACTION:

REMARKS REGARDING AMENDMENTS

Claims 21-23, 32, 57, 59, 68, 93, 95 and 104 have been amended. No new matter has been added by the amendments. Support for the amended claims is found in the original claims and specification.

ALLOWABLE SUBJECT MATTER

Claims 1-13 and 15-20 have been deemed allowable by the Examiner. Assignee appreciates the recognition of allowable subject matter. Assignee respectfully requests reconsideration of claims 21-49, 51-85, and 87-108 in light of the amendments and the remarks made herein.

REJECTION UNDER 35 U.S.C. § 101

Claims 21-49, 51-85, and 87-108 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Office Action states that the claims do not result in a physical transformation, thus requiring the inquiry whether the claims include a useful, concrete, and tangible result. Assignee respectfully requests that the Examiner reconsider and withdraw the rejection of the claims in view of above amendments to independent claims 21, 57, and 93.

Amended independent claim 21 requires “outputting user instructions” which is a useful, concrete, and tangible result. Similarly, amended independent claim 57 requires “means for outputting user instructions.” Independent claim 93 requires “computer-readable program code that is configured to output user instructions.” As amended, each of these independent claims includes a useful, concrete, and tangible result. For at least these reasons, the Assignee

respectfully requests that the Examiner reconsider and withdraw the rejection of independent claims 21, 57, and 93.

Claims 22-36 depend from independent claim 21 and thus incorporate each limitation therein. Therefore, claims 22-36 are allowable for at least the same reason as independent claim 21 is allowable. Assignee therefore respectfully requests that the Examiner also reconsider and withdraw the rejection of claims 22-36.

Claims 58-72 depend from independent claim 57 and thus incorporate each limitation therein. Therefore, claims 58-72 are allowable for at least the same reason as independent claim 57 is allowable. Assignee therefore respectfully requests that the Examiner also reconsider and withdraw the rejection of claims 58-72.

Claims 94-108 depend from independent claim 93 and thus incorporate each limitation therein. Therefore, claims 94-108 are allowable for at least the same reason as independent claim 93 is allowable. Assignee therefore respectfully requests that the Examiner also reconsider and withdraw the rejection of claims 94-108.

Assignee respectfully traverses the Examiner's rejection of independent claim 37 as claim 37 includes a useful, concrete, and tangible result. Claim 37 requires a means for displaying a matrix of cells for user input. This is a useful, concrete, and tangible result as the claim requires that the displayed matrix be accessible by a user for input. Further, claim 37 requires that the "means for displaying" include means for displaying the matrix of cells for the at least one target characteristic to be collected, which is a useful, concrete, and tangible result. For at least these reasons, Assignee respectfully requests that the Examiner reconsider and withdraw the rejection of independent claim 37.

Claims 38-49 and 51-56 depend from independent claim 37 and thus incorporate each limitation therein. Therefore, claims 38-49 and 51-56 are allowable for at least the same reason as independent claim 37 is allowable. Assignee therefore respectfully requests that the Examiner also reconsider and withdraw the rejection of claims 38-49 and 51-56.

Assignee respectfully traverses the Examiner's rejection of independent claim 73 as claim 73 includes a useful, concrete, and tangible result. Claim 73 requires a computer-readable program code that is configured to display a matrix of cells for user input. This is a useful, concrete, and tangible result as the claim requires that the displayed matrix be accessible by a user for input. Further, claim 73 requires that the computer-readable code be configured to display a matrix of cells for the at least one target characteristic to be collected, which is a useful, concrete, and tangible result. For at least these reasons, Assignee respectfully requests that the Examiner reconsider and withdraw the rejection of independent claim 73.

Claims 74-85 and 87-92 depend from independent claim 73 and thus incorporate each limitation therein. Therefore, claims 74-85 and 87-92 are allowable for at least the same reason as independent claim 73 is allowable. Assignee therefore respectfully requests that the Examiner also reconsider and withdraw the rejection of claims 74-85 and 87-92.

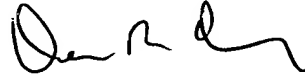
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CONCLUSION:

Assignee respectfully requests that the Examiner reconsider and withdraw the rejection of claims 21-49, 51-85 and 87-108 and that the Examiner indicate the allowance of all pending

claims in the next paper from the Office. The Examiner is invited to contact the undersigned agent with any questions, comments, or suggestions relating to the instant application.

Respectfully submitted,



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